

## SECTION 8.0

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### List of Preparers and Organizations Consulted

## 8.0 EIR/EA PREPARERS AND PERSONS AND ORGANIZATIONS CONTACTED

### 8.1 EIR/EA Preparers

This Environmental Impact Report was prepared for the County of Imperial by BRG Consulting, Inc., at 304 Ivy Street, San Diego, California, 92101. The following professionals participated in its preparation:

#### **County of Imperial**

Armando G. Villa, Director of Planning and Development Services  
Jim Minnick, Assistant Director  
Richard Cabanilla, Planner IV  
Patricia Valenzuela, Planner III

#### **Air Pollution Control District**

Belen Leon, APC Environmental Coordinator

#### **Bureau of Land Management**

Daniel Steward, Resource Branch Chief  
Jennifer Whyte, Realty Specialist  
Donna Clinton, Biologist  
Andrew Trouette, Natural Resource Specialist  
Jenny Haggard Blanchard, Archaeologist  
Jeffrey Childers, Planning and Environmental Coordinator  
Dallas Meeks, Outdoor Recreation Planner  
John Johnson, Wilderness Coordinator

#### **BRG Consulting, Inc.**

Tim Gnibus, AICP, Vice President  
Kathie Washington, Project Manager  
Mary Brady, Production Manager  
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BRG Consulting was assisted by the following consultants:

**ASM Affiliates, Inc.,** (Third-Party Cultural Resources Review)

*John Cook, President*

**Environmental Resources Management,** (Third-Party Hazardous Materials Review)

*Kevin Bryan, Program Director*

**Fuscoe Engineering,** (Third-Party Hydrology and Water Quality Review)

*Paul Halaand, P.E., Project Manager*

**Investigative Science and Engineering, Inc. (ISE),** Air Quality, Greenhouse Gas, Noise

*Rick Tavares, Project Principal*

**Ken Wilson CRM Consulting,** (Cultural Resources)

*Ken Wilson, Archaeologist*

**Landmark Consultants, Inc.,** Geology, Hazards and Hazardous Materials

*Jeffery O. Lyon, PE, President*

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*Julian R. Avalos, PE, Senior Engineer*

**Lawson & Associates,** (Third-Party Geotechnical Review)

*Kevin Colson, Vice President*

**LOS Engineering, Inc.,** Traffic

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*Nanci Gulley, Senior Biologist*

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*Carianne S. Funicelli Campbell, Vegetation Ecologist*

*Colby Henley, Senior Biologist*

*Carmen Zepeda-Herman, Archaeologist*

**Tetra Tech, Inc.,** Hazards and Hazardous Materials

*Matt Manderfeld, Principal*

*Tamara Pelham, Supervisor*

**Tory R. Walker Engineering, Inc.,** Hydrology and Water Quality

*Tory R. Walker, R.C.E. 45005, President*

## 8.2 Persons and Organizations Contacted

In addition to the scoping and EA/Draft EIR public review processes, the BLM has been consulting and coordinating with public agencies who may be requested to take action on the Imperial Solar Energy Center West project. That ongoing consultation and coordination is discussed in the following sections.

### 8.2.1 *United States Fish and Wildlife Service*

The BLM permit, consultation, and coordination with the United States Fish and Wildlife Service (USFWS) required for the Imperial Solar Energy Center West project complies with the Federal Endangered Species Act (ESA) regarding potential take of the flat-tailed horned lizard (FTHL). "Take" of a species listed under the Federal ESA is prohibited except as authorized through consultation with USFWS and issuance of an Incidental Take Statement under Section 7 or 10 of the ESA, depending on whether there is Federal agency action required for the proposed project (i.e., a Federal permit required or funding involved). Because Federal agency action has been identified for the Imperial Solar Energy Center West project, Section 7 consultation/conferencing between the BLM and USFWS is required prior to any take authorization for the Imperial Solar Energy Center West project under the ESA from the USFWS. The Carlsbad Field Office of the USFWS oversees ESA permitting actions in the project area.

The BLM will submit a Biological Assessment for take of FTHL to the USFWS for the Imperial Solar Energy Center West project. It is expected that the USFWS Biological Opinion will conclude that the project "...may affect, likely to adversely affect" the FTHL.

Although the FTHL is not federally listed under the ESA at this time, it is anticipated that this species may be listed during the construction or operation of the Imperial Solar Energy Center West project. To avoid or reduce possible time constraints, the FTHL was included in the Biological Assessment for the Imperial Solar Energy Center West project, should this species become Federally listed. Because the FTHL has not been listed as of July 2010, the BLM is undergoing conferencing, rather than consultation, with the USFWS for this species. Because the BLM and USFWS are signatories in the FTHL Interagency Coordinating Committee (ICC), it is anticipated that the recommendations stated in the FTHL Rangewide Management Strategy (FTHL ICC 2003) will be in the USFWS conferencing opinion. Additionally, the BLM is requesting concurrence from the USFWS that a take permit is not required for the Golden Eagle. The process of consultation of USFWS for the Imperial Solar Energy Center West project is ongoing.

### 8.2.2 *United States Army Corps of Engineers*

Project related fill of waters of the U.S. would require authorization by the United States Army Corps of Engineers (Corps) pursuant to Section 404 of the Federal Clean Water Act (CWA) under a Standard Individual Permit subject to CWA Section 404(b)(1) Guidelines. The Corps will require mitigation for project-related fill of waters of the U.S.

The CWA requires the permitting and monitoring of all discharges to surface water bodies. Section 404 requires a permit from the Corps for a discharge from dredged or fill materials into waters of the U.S., including wetlands.

The Corps is a cooperating agency with the BLM on the EA. The process of consultation with the Corps for the Imperial Solar Energy Center West project is ongoing.

### *8.2.3 Native American Consultation/Coordination and Section 106 Consultation/Coordination*

A key requirement of cultural resources analysis under CEQA, NEPA, and Section 106 of the National Historic Preservation Act of 1966, as amended 1992 (NHPA), is to ascertain if a proposed undertaking has the potential to impact historic sites and properties that qualify for inclusion on the National Register of Historic Places or the California Register of Historical Resources.

36 CFR 800, the implementing regulations for the NHPA, outlines the process to be undertaken for the identification, evaluation, effect determinations, and development of treatments for properties that might be affected. The process is undertaken in consultation between the BLM, State Historic Preservation Officer (SHPO), Advisory Council on Historic Preservation (ACHP), federally recognized Tribes (Tribes), and interested parties.

At this time, it is anticipated, that all historic properties and archaeological sites can be avoided in the Imperial Solar Energy Center West Project by selection of the proposed action/alternative. The proposed action was developed with conditions or design features to purposely avoid all archaeological sites. The BLM has made initial contacts with the SHPO and the Tribes to begin consultations towards a 'no adverse' effect determination under 36 CFR 800 for this undertaking.

The BLM initiated tribal consultation for the Imperial Solar Energy Center West Project by letter on June 24, 2010, and continues to consult with the Tribes as outlined in 36 CFR 800. The BLM must consult to identify properties of religious and cultural significance to the Tribes to be addressed in the Section 106 process. The following Tribes or tribal organizations have been invited to be consulting parties:

- Campo Kumeyaay Nation
- Cocopah Indian Tribe
- Ewiiapaayp Band of Kumeyaay Indians
- Fort Yuma Indian Reservation
- Kwaaymii Laguna Band of Indians
- La Posta Band of Kumeyaay Indians
- Manzanita Band of Kumeyaay Indians
- San Pasqual Band of Diegueno Indians
- Santa Ysabel Band of Diegueno Indians
- Torres-Martinez Desert Cahuilla Indians

Section 106 consultation with the SHPO, ACHP, Tribes, and interested parties for the Imperial Solar Energy Center West project is ongoing.